

CABINET

**Minutes of the meeting held on 26 September 2024 at 7.00 pm in Council Chamber,
Council Offices, Cecil Street, Margate, Kent.**

Present: Councillor Rick Everitt (Chair); Councillors Whitehead, Albon, Bright, Duckworth, Keen and Yates

In Attendance: Councillors J Bayford, Garner, Rattigan and Rogers

38. APOLOGIES FOR ABSENCE

There were no apologies received at the meeting.

39. DECLARATIONS OF INTEREST

There were no declarations of interest.

40. MINUTES OF PREVIOUS MEETING

Councillor Everitt proposed, Councillor Yates seconded and Members agreed the minutes as a correct record of the meeting held on 22 August 2024.

41. PROCUREMENT OF PUBLIC TOILETS WORKS AT MARGATE MAIN SANDS

Cabinet discussed the report on the procurement and award of a contract for the capital works to refurbish Margate Subterranean toilets and build new toilets that would allow equal access for disabled people. Subject to planning approval these toilets would be built above the entrance of the Margate Subterranean toilets.

Based on a report commissioned in 2022, the Council had committed to undertake both revenue repairs and a programme of capital build projects to improve the standard of public toilet provision across the district. The Margate Subterranean toilets located on Marine Drive near to Margate main sands were closed to the public and the existing facility was unsuitable for disabled use as they were underground and accessed by steep steps. Therefore, in order to address this the Council was proposing a DDA compliant toilet be added at promenade level, occupying some of the space of the existing staircase on both the ladies and gents toilet blocks.

RIBA stage 2 work had been completed and subject to Cabinet approval the project team was ready to proceed with stage 3 to enable the submission of a planning application and undertake procurement of a suitable contractor to undertake the works. £600k of capital funding had been allocated to undertake both the refurbishment and new build works required at Margate Subterranean toilets. Early cost estimates had indicated that all of the budget would be required to complete this work.

Councillor Rogers spoke under Council Procedure Rule 20.1.

Councillor Albon proposed, Councillor Keen seconded and Cabinet agreed the following:

1. The key decision to award a contract with a value in excess of £250k, to the successful bidder, following a procurement exercise for capital works to refurbish Margate Subterranean toilets and build new toilets above the entry of the Margate Subterranean toilets;

2. That the Director of Environment, having sought advice from legal services, agree the final terms of any contract award and sign the contract with the successful bidder.

42. PROCUREMENT OF PUBLIC TOILET WORKS AT STONE BAY, BROADSTAIRS

Cabinet discussed proposals for the procurement and award of a contract for capital works to refurbish the existing toilet block and build a new toilet block at promenade level at Stone Bay Broadstairs, which would be subject to planning approval. Based on a report commissioned in 2022 the Council had committed to undertake both revenue repairs, and a programme of capital build projects to improve the standard of public toilet provision across the district.

Stone Bay, Broadstairs, had been selected as the highest priority for capital funding due to the number of visitors to this bay, the condition of the existing facilities, and the location of the existing facilities, which were up a flight of steps, causing accessibility issues for those at the bay. RIBA stage 2 work had been completed and subject to Cabinet approval the project team was ready to proceed with stage 3 to enable the submission of a planning application and undertake procurement of a suitable contractor to undertake the works.

The suggested location of the new build toilet block did not require beach huts to be moved and maintains a promenade width of 4m, while also being as close to existing services as possible. £571k capital funding had been allocated to the new build public convenience at Stone Bay. Early cost estimates have indicated that the Stone Bay toilet improvements including the refurbishment of existing WCs and the construction of a new WC block would cost £283k, this figure included a 10% contingency. However, until this has been tendered it is recommended that the budget allocation of £571k be retained for the project for the time being.

The Overview and Scrutiny Panel reviewed proposals in the report and made the following recommendation that "Wherever possible Thanet District Council should explore collaboration with the private businesses to manage public toilet facilities owned by the Council." However this is a matter that would need to be covered separately as it was not directly connected to this report and Cabinet would take note for any future related decision.

Cabinet agreed the following:

1. The key decision to award a contract with a value in excess of £250k, to the successful bidder, following a procurement exercise for capital works to refurbish the existing toilet block and build a new toilet block at promenade level at Stone Bay, Broadstairs;
2. That the Director of Environment, having sought advice from legal services, agree the final terms of any contract award and sign the contract with the successful bidder.

43. SECURITY CONTRACT

Cabinet considered the report on the procurement and award of a contract for security at the Port of Ramsgate, the Ramsgate Royal Harbour and other key security requirements at TDC. The estimated value of all lots within the contract would be £436k per year over a 5 year contract (3 years with potential for 2 year extension), making a total estimated contract value of £2.180 million.

The Port of Ramsgate and the Ramsgate Royal Harbour had a requirement for 24 hours a day, 7 days a week, security. The security officers were required to monitor CCTV, conduct patrols of the port and marinas, control access to the port restricted area and

conduct other security related duties on a daily basis. Also included in the contract was the Council's requirements for security:

- at the Cecil Street Council Offices
- at Royal Harbour and Mill Lane multi storey car park where they open and close the car parks and provide an out of hours cover for the car parks
- for seasonal and ad hoc security provision.

The existing contract expired in June 2023. The original supplier had agreed to maintain existing security cover as per the original terms and conditions of the contract until the retendering of the contract has been completed. Officers were focused on completing this procurement as soon as possible.

Councillor Rattigan spoke under Council Procedure Rule 20.1.

Councillor Everitt proposed Councillor Duckworth seconded and Cabinet agreed the following:

1. The key decision to award a contract with a value in excess of £250k and thought to be approximately £2.18million over a five years period, to supply security at the Port of Ramsgate, Ramsgate Royal Harbour and other key security requirements at TDC, following a procurement exercise;
2. That the Director of Environment, having sought advice from legal services, agree the final terms of any contract award and sign the contract with the successful bidder.

44. MECHANICAL DREDGING CONTRACT

Cabinet noted that the council was a Statutory Harbour Authority and had a duty to maintain the Port of Ramsgate and Ramsgate Royal Harbour. During the summer season a large number of visitors from around the UK and Europe visit the Harbour. In order to safely facilitate these vessels the Council must invest in regular maintenance dredging to maintain safe access and navigation for vessels. In addition, without regular dredging to maintain safe access to the Port and Harbour the council risked breaching the open port duty.

In Ramsgate the two principal sediment types (silt and sand) were removed via two entirely different methods. A method of mechanical dredging known as grab dredging would be used to remove sand at Ramsgate. The proposed term contract (the subject of this report) would be based on the grab dredging method which uses a large 360 degree long reach excavator mounted on the deck of the dredger to dig (or grab) the sand from the sea bed. The recurring nature of the dredging requirement at the Port and Harbour meant that a multi-year term contract was the most appropriate procurement method for this work to be contracted.

The awarded contract for routine maintenance dredging would be funded through an existing recurring revenue budget of £145,500. The estimated value of the contract would be £72,750 per year, which was 50% of the annual budget for dredging. The maximum contract term would be 5 years (core term of 3 years with potential for a 2 year extension), making a total estimated contract value of £363,750.

Councillor Everitt proposed, Councillor Yates seconded and Cabinet agreed the following:

1. The key decision to award a contract with a value in excess of £250,000 for mechanical dredging at the Port of Ramsgate and Ramsgate Royal Harbour, following a procurement exercise;

2. That the Director of Environment, having sought advice from legal services, agree the final terms of any contract award and sign the contract with the successful bidder.

45. PURCHASE OF 137 HOMES AT HAINE ROAD FOR AFFORDABLE RENT

Cabinet discussed proposals for the Council to progress with the acquisition of 137 new affordable homes being built by developer BDW, using the accelerated housing programme capital budget that had been approved by Council at its meeting on 12 October 2023. Cabinet also noted that the acquisitions are dependent upon the council securing sufficient Homes England Grant to make the project financially viable. Cabinet also noted that this project replaced the previously approved project to acquire 32 section 106 affordable homes at the same site.

It was further discussed that the Director of Corporate Services be delegated authority to re-assess the viability of projects within the programme and subsequently approve a variation to the assumed level of borrowing or other funding needed, in consultation with the Deputy Leader and Cabinet Member for Housing. This was if the assessment showed that the schemes remain viable and remain within the overall approved budget. Any changes in funding would be subsequently reported back to Cabinet. The letting of these homes would be in accordance with the Council's Allocations Policy and any subsequent local lettings plan (LLP), at an affordable rent as set out in the council's Tenancy Strategy.

Cabinet's acquisitions strategy began through the realisation that the Council was losing highly valuable Section 106 units, known as affordable housing, simply because Housing Associations and Registered Providers were not taking them on. This was a national problem that Cabinet had already tackled, by ensuring that any units that would be lost were now taken into the Council's housing portfolio, so that the valuable 106 units that private developments needed to provide were retained.

As Cabinet had moved through this strategy, its abilities and financial understanding had allowed the Council to extend its acquisitions strategy further; in this case allowing it to purchase 137 units that otherwise would have been private units and unaffordable to residents in need. In October 2023, Council approved the accelerated affordable housing development programme, acknowledging Cabinet's determination to construct or acquire 400 new Council homes by the end of Labour's first term. Now almost at October 2024, the Council was now very close to those 400 homes being agreed at the end of the first year of the current administration.

There were roughly 1500 families on the Council's Housing Register, with the number changing every day. There were over 300 households in Temporary Accommodation, which not only caused huge emotional and social strain for those households, but also produced extraordinary strain on the general fund. This was because Temporary Accommodation costs required an extra 1.5 million from the general fund, none of which went towards assets, or producing stable homes for residents, as all of it left the Council.

As a result, Cabinet was continuing to proactively look for opportunities to acquire homes, as it was strongly felt that securing a robust pipeline of homes was one way in which the Council could, through local lettings plans, reduce its reliance on the expensive use of nightly paid temporary accommodation. Fifty percent of the new homes would go to those on the Council's Housing Register, with the other fifty percent going to those who were also in Temporary Accommodation. This meant that these homes, when in use, instantly remove temporary accommodation costs.

To enable an acquisition this significant, Cabinet had to look at how best to deliver affordable housing at scale and this acquisition would mean that the Council did not proceed with a decision it sought, and that was approved, at Cabinet in July. In July

2024, officers sought the approval of purchasing 32 s106 homes at this site. Those homes would now be acquired by a registered provider specialising in shared ownership homes. These would not be lost as affordable homes, but using Homes England funding to purchase market homes allows Cabinet to purchase at far greater scale, whilst still maintaining mixed tenure delivery of affordable housing.

Councillor Davis and Councillor Bayford spoke under Council Procedure Rule 20.1.

Councillor Whitehead proposed, Councillor Keen seconded and Cabinet agreed the following:

1. That the Council progresses with the acquisition of 137 new affordable homes being built by developer BDW, using the accelerated housing programme capital budget, approved by Council at its meeting on 12 October 2023;
2. That Cabinet note that the acquisitions are dependent upon the council securing sufficient Homes England Grant to make the project financially viable;
3. That Cabinet note that this project replaces the previously approved project to acquire 32 section 106 affordable homes at the same site;
4. That the Director of Corporate Services be delegated authority to re-assess the viability of projects within the programme, and subsequently approve a variation to the assumed level of borrowing or other funding needed, in consultation with the Deputy Leader and Cabinet Member for Housing, provided the assessment shows that the schemes remain viable and remain within the overall approved budget. Any changes in funding will be subsequently reported to Cabinet;
5. The letting of these homes in accordance with the Council's Allocations Policy and any subsequent Local Letting Plan (LLP), at an affordable rent as set out in the Council's Tenancy Strategy.

46. EAST PIER BUILDING IMPROVEMENTS

Cabinet considered proposals for the procurement and award of a contract to undertake essential improvements to the concrete structure and replacement of the windows at the East Pier Building, located at Ramsgate Royal Harbour East Pier. The estimated value of the contract would be £468k. The East Pier Building at the Ramsgate Royal Harbour East Pier was home to the Brasserie restaurant (a private concession with a lease), port control, fishing storage facilities, Royal Temple Yacht Club and Kelvin Hughes RADAR manufacturers. In addition to this there was outside seating and a storage unit at the end of the main building.

A detailed inspection to the external areas was carried out by a qualified contractor. Their report showed 596 defects in total. The worsening condition of the building structure was increasing the cost of carrying out maintenance year on year. The existing capital budget of £307k was for concrete improvements only. However, it had become clear that the windows also needed to be replaced because of their current condition and the obligations the authority had within the current lease. This had increased the cost of the project by £178k.

The Property Enhancement Programme had sufficient unallocated funds to cover the shortfall in the budget for this project of £178k and Cabinet agreed the reallocation of resources to meet this requirement at their meeting of 22 August 2024.

Councillor Rogers spoke under Council Procedure Rule 20.1.

Councillor Everitt proposed, Councillor Albon seconded and Cabinet agreed the following:

1. The key decision to award a contract with a value in excess of £250k to undertake essential improvements to the concrete structure and replacement of the windows at the East Pier Building, Ramsgate Royal Harbour East Pier, following a procurement exercise;
2. That the Director of Environment, having sought advice from legal services, agree the final terms of any contract award and sign the contract with the successful bidder.

47. TENANT AND LEASEHOLDER SERVICES ANNUAL REPORT 2023/24 AND ANNUAL COMPLAINTS PERFORMANCE AND SERVICE IMPROVEMENT REPORT 2023/24

Cabinet reviewed the annual Tenant and Leaseholder report. Every year the Regulator for Social Housing required all social housing providers to produce a report for its tenants. This was the third annual report that had been produced by the Council's Tenant and Leaseholder Service (TLS) and was exceptionally comprehensive and demonstrated TLS' commitment to making information accessible, thorough and engaging.

This year's report included case studies and photos to demonstrate the achievements of the team over the year; real life examples of what the Council did through this service and how Council supported residents were both essential and a core part of developing a housing service that genuinely served and involved residents. This was what Cabinet had been aiming for from the very beginning. Following the introduction of the Social Housing (Regulation) Act 2023, it was now also a requirement for the Council to produce an Annual Complaints Performance and Service Improvement Report and for this also to be published.

The report had information on the complaints received throughout the year, themes and trends identified through complaints, lessons learnt and the improvements that were made from the lessons learnt. The work of the Tenant and Leaseholder representatives was essential to both these processes. Without them, none of this work would be possible. The quality of these reports was not only determined by the excellent work of officers but also to the willingness of residents to engage, be a voice for all residents, and bring their concerns and ideas to us, to ensure that this was a service that the Council was proud of. Cabinet thanked staff for the hard work demonstrated in this service area.

Councillor Whitehead proposed, Councillor Keen seconded and Cabinet agreed to:

1. Note and approve the Tenant and Leaseholder Services Annual Report 2023/24;
2. Note the Complaints Performance and Service Improvement Report 2023/24.

48. PURCHASE OF 11 HOMES BUILT BY VISTRY FOR TEMPORARY ACCOMMODATION

Cabinet discussed proposals for the Council to progress with the acquisition of the 11 new affordable homes being built by developer Vistry, subject to the approval of the necessary adjustments to the general fund capital programme by Full Council on 10 October 2024. The letting of these homes would be in accordance with the Council's Temporary Accommodation Allocation Policy, approved by Cabinet in July 2024.

The report sought the approval to purchase 11 homes, constructed by Vistry, which would be used for temporary accommodation in the Thanet District. Unlike previous properties being acquired by the Council, these properties did not sit in a section 106 agreement and did not constitute addition to the Council's Housing Revenue Account stock due to their status as Temporary Accommodation. The homes were not, as in other

instances, sitting empty. These were homes that the Council had sought out from the developer, knowing that there was a huge need for high quality temporary accommodation of varying sizes.

The council had a good working relationship with Vistry from the Local Authority Housing Fund properties it had acquired, which had proven to be excellent acquisitions. These homes would be managed and maintained by the Council and would be managed closely through the temporary accommodation property officer that the Housing Options team employed to check on the welfare of its tenants.

The cost for the 11 homes (4 x 2-bedroom homes and 7 x 3-bedroom homes) totals £2,850,000, in addition to £132,000 Stamp Duty and £22,000 legal costs and was funded through the General Fund capital budget, if approved by Council. This was why in addition to the previous Overview & Scrutiny Panel and Cabinet papers, a separate paper was being taken for approval to add this additional budget and borrowing to the capital programme. Though the homes had not been designated as temporary accommodation in the planning consent, they would have been designed to a very good specification, which ensured the quality of housing the Council wished to provide for those households that it would temporarily house here.

As had been discussed many times in Cabinet meetings, the impact of being in Temporary Accommodation, especially outside the area, had a huge impact on households. To address this issue fully, Cabinet had to not only grow Council's general needs portfolio, to ensure that it had homes that could be provided to residents in need, but also continued to expand its in-house temporary housing. This would ensure that in the short term residents were kept in an area close to their families, schools, work and support networks.

The financial impact of the use of external temporary accommodation was also huge and was indicated by the fact that the project would be moving into surplus on these properties in only year two. To be able to bring forward two items in one meeting that addressed both these needs was a huge privilege. Cabinet thanked the Housing and Finance teams for the exemplary work on providing for residents. Cabinet said that this was wholly recognised and valued beyond measure.

Councillor Davis and Councillor Bayford spoke under Council Procedure Rule 20.1.

Councillor Whitehead proposed, Councillor Keen seconded and Cabinet agreed the following:

1. That the Council progresses with the acquisition of the 11 new affordable homes being built by developer Vistry, subject to the approval of the necessary adjustments to the general fund capital programme by the full Council on 10th October;
2. The letting of these homes will be in accordance with the Council's Temporary Accommodation Allocation Policy, approved by Cabinet in July 2024.

49. EXCLUSION OF PRESS AND PUBLIC

Cabinet agreed not to exclude the press and public for the consideration of the exempt item on ICT Policies.

50. ICT POLICIES

Cabinet considered policy proposals for enhancing the Council's cyber security arrangements and acknowledged that embracing digital technology was a key part of helping the Council to improve the way it deliver services to local people. As more of the Council's transactions and interactions move online, it was essential that the Council worked as safely as possible. This was particularly important given the threat of cyber-

attack across the local government sector and indeed at a global level, continues to be high.

Therefore having clear and up to date organisational policies in place was a key way to support the Council and to help mitigate against this potential threat. There were previously 14 separate ICT and Digital policies with a great deal of overlap and duplication. They had now been updated into four new overarching policies as follows:

- Acceptable Use Policy;
- Cyber Security and Cyber Attacks Policy;
- Digital Security Policy and the;
- Payment Card Industry Data Security Standards Compliance Policy.

The refreshed policies had been designed to incorporate current Council working practices and to harmonise our approach, with duplication removed and clarity provided. The policies had been considered by the General Purposes Committee on 30 July 2024 and at the inaugural meeting of the Cyber Security Cabinet Advisory Group on 10 September 2024. They were also subject to consultation with staff and the unions.

Once implemented, the policies would be subject to review every six months, reflecting the priority status for the Council and to ensure they continued to reflect national best practice.

Councillor Everitt proposed, Councillor Yates seconded and Cabinet approved the following policies for implementation across the organisation:

1. Acceptable Use Policy;
2. Cyber Security and Cyber Attacks Policy;
3. Digital Security Policy;
4. Payment Card Industry Data Security Standards (PCI DSS) Compliance Policy.

Meeting concluded: 8.00 pm